

# MEMORANDUM

Agenda Item No. 11(A)(5)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

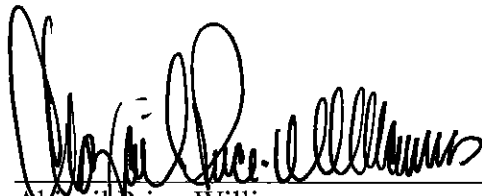
**DATE:** December 15, 2015

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging the Florida  
Legislature to enact SB 248,  
HB 89 or similar legislation that  
would eliminate the five-year  
waiting period for lawfully  
residing immigrant children to  
become eligible for the Florida  
KidCare Program

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava.

A handwritten signature in black ink, appearing to read 'Abigail Price-Williams', is written over a horizontal line.

Abigail Price-Williams  
County Attorney

APW/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** December 15, 2015

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(5)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(5)

12-15-15

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE FLORIDA LEGISLATURE TO  
ENACT SB 248, HB 89 OR SIMILAR LEGISLATION THAT  
WOULD ELIMINATE THE FIVE-YEAR WAITING PERIOD  
FOR LAWFULLY RESIDING IMMIGRANT CHILDREN TO  
BECOME ELIGIBLE FOR THE FLORIDA KIDCARE  
PROGRAM

**WHEREAS**, the Florida KidCare Program is a federally subsidized children's health insurance program that provides subsidized health insurance to uninsured children who do not qualify for Medicaid but who have family incomes under 200 percent of the federal poverty level (FPL) and meet other eligibility criteria; and

**WHEREAS**, Florida Kidcare provides affordable health insurance and access to healthcare for children of families with lower incomes; and

**WHEREAS**, in Florida, children who are not citizens or "qualified aliens" are not eligible for the KidCare program until they have legally resided in the country for five years; and

**WHEREAS**, the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), provides states with the option of extending health coverage in programs like KidCare to immigrant children lawfully residing in the United States without requiring the five-year waiting period; and

**WHEREAS**, Senate Bill (SB) 248 has been filed for consideration during the 2016 session of the Florida Legislature by Senator Rene Garcia (R-Hialeah); and

**WHEREAS**, companion House Bill (HB) 89 has been filed for consideration during the 2016 session of the Florida Legislature by Representative Jose Felix Diaz (R-Miami); and

**WHEREAS**, SB 248 and HB 89 would eliminate the five-year waiting period for lawfully residing immigrant children to become eligible for the Florida KidCare Program; and

**WHEREAS**, the Agency for Health Care Administration for the State of Florida estimates that 2,077 Floridian children will be eligible for the Florida KidCare Program if the five-year waiting period is eliminated; and

**WHEREAS**, emergency medical assistance for state Fiscal Year 2015 for uninsured children in Florida totaled over \$7 million in expenditures; and

**WHEREAS**, the State of Florida Agency for Health Care Administration (“AHCA”) estimates that eliminating the five-year waiting would have an overall positive fiscal impact because low-income legally residing children would be more likely to receive preventative care and less likely to use emergency medical assistance and expensive hospital rooms; and

**WHEREAS**, CHIPRA allows states to claim an enhanced federal match rate of 95.83 percent for Children’s Health Insurance Program Coverage and Medicaid children and is projected by AHCA to result in an increase of \$1,336,537 in general revenue, \$30,714,717 in federal funding and \$298,811 in family premiums; and

**WHEREAS**, according to AHCA, the increase in revenue, federal funding and family premiums would offset the \$7,790,967 spent on emergency medical assistance for uninsured Floridian children in Fiscal Year 2015; and

**WHEREAS**, because it promotes healthier children and families in Florida, this Board supports SB 248, HB 89 or similar legislation that would eliminate the five-year waiting period for lawfully residing immigrant children to become eligible for the Florida KidCare Program,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA,** that this Board:

**Section 1.** Urges the Florida Legislature to enact SB 248, HB 89 or similar legislation that would eliminate the five-year waiting period for lawfully residing immigrant children to become eligible for the Florida Kidcare Program.

**Section 2.** Directs the Clerk of the Board to transmit a certified copy of this resolution to the Governor, Senate President, House Speaker, Senator Rene Garcia, Representative Jose Felix Diaz and the remaining Members of the Miami-Dade County State Legislative Delegation.

**Section 3.** Directs the County's state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Daniella Levine Cava. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of December, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Suzanne Villano-Charif